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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,931	10/03/2003	Robert P. McCollum	13174.42USII	1210
23552	7590	02/22/2006	EXAMINER	
MERCHANT & GOULD PC			DIXON, MERRICK L	
P.O. BOX 2903			ART UNIT	PAPER NUMBER
MINNEAPOLIS, MN 55402-0903			1774	

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/678,931	MCCOLLUM ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Merrick Dixon	1774	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on election of 12-5-05.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-72 is/are pending in the application.
- 4a) Of the above claim(s) 1-26 and 50-72 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 27-49 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.



**MERRICK DIXON**  
**PRIMARY EXAMINER**

4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
6) <input type="checkbox"/> Other: _____.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date see office action.

Applicants election of claims 27-49 on 12-5-05, without traverse is acknowledged.

The instant application contains the copies of signed IDS with the following dates:

IDS dated 8-15-2005

IDS dated 7-13-2005

IDS dated 11-8-2004

IDS dated 8-9-2004

IDS dated 1-2-2004

1. The abstract of the disclosure is objected to because it contains the legal word, "comprising". Correction is required. See MPEP § 608.01(b).

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 27-33,35-40,44,47, 48 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higashi et al( US 6818302 B2) . The cited reference to Higashi et al teaches the basic claimed invention including a laminated structure comprising an acrylic layer of specific thickness( col 3, lines 19-25; col 6, lines 19-53; col 5, lines 59-65; col 8, lines 7-47. The reference further teaches additional layers(col 6, lines 64-67) and additionally teaches reinforcing contiguous layers(col 2, lines 49-52). Concerning claims 28-30, the reference teaches similar external layer- col 5, lines 59-col 6, line 21.

The reference teaches similarly claimed thickness as required by claim 32 in col 3, lines 19-25; col 6, lines 22-27. The reference teaches laminated material in col 6, lines 29-33 as required by claim 33. The reference teaches thermoplastic as required by claim 35- col 7, lines 1-13. The reference teaches vehicle and house hold structures; and curved/flange articles as required by claims 36-40,47- 49- col 8, line 49; col 9, lines 16-29; col 10, lines 54-64. This would also include, it is submitted, wide angled laminated article attachment means for tub like article fig 1.

4. Claims 34,43 ,rejected under 35 U.S.C. 103(a) as being unpatentable over Higashi et al( US 6818302 B2) in view of Wanat et al( US 6852405 B2). Although the primary reference teaches various material for its layers, inter alia, the secondary reference to Wanat et al more clearly teaches that it is known in the art to have such material be ABS- col 6, lines 22-23. It would have been obvious to one of ordinary skill in the art at the time the invention is made to combine the teachings of the secondary reference to Wanat et al and utilize such well known plastic as ABS in the primary reference , in the absence of unexpected results, motivated by the desire to increase adhesion between the adjacent layers- col 6, lines 15-21.

5. Claims 41,42 , 45, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higashi et al(US 6818302 B2) and Wanat et al( US 6852405 B2) as applied to claims 34 ,43 above, and further in view of Motoi et al (US 6605343 B1). Motoi et al teaches that it is known in the art to include foamed polyurethane

reinforcement in laminated structures as taught by the obvious combined teachings of the references as set forth in section 4 above- col 5, lines 43-66; col 13, lines 41-50.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kawasaki et al( US 5393607 and US 5451695) are cited of interest for their respective teachings and additionally to show the state of the art.

Applicants who wish to send a facsimile (draft copies) for the examiner's immediate review can do so by using the Examiner's personal fax number at 571-273-1520. The faxing of all papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 ( November 15, 1989). **NOTE: All facsimiles sent to the examiner's personal fax number should be in draft-forms and will be treated as informal.**

**Same facsimiles will not be entered in the related applications unless otherwise agreed and noted by the examiner.**

**The fax number for all other fascimile is 571-273-8300.**

Information about the status of an application may be obtained from the Patent Information Retrieval system (**Private PAIR**).

Status inquires for **published applications** may be retrieved from either **Private PAIR** or **Public PAIR**. Questions about the PAIR system should be directed to the Electronic Business Center at **866-217-9197**.

Any questions concerning the instant communication should be directed to Examiner Dixon, at 571-272-1520, Mondays, Wednesdays and Thursdays, between 12 noon and 8 PM, eastern time .



Merrick Dixon

Primary Examiner

Group 1700